REMARKS

Claims 1, 2, 5-18, and 21-37 are pending in this application.

Applicants have amended claims 1, 2, 9-13, 16-18, 24-29, 32, and 33, have canceled claims 3, 4, 19, and 20, and have added new claims 34-37. These changes do not introduce any new matter.

Claim Objections

In response to the objection to claims 8, 9, 11-13, 24, 25, 28, and 29, Applicants have amended the claims to correct the informalities cited by the Examiner. Accordingly, Applicants request that the objection to the claims be withdrawn.

Rejection Under 35 U.S.C. § 102

Applicants respectfully request reconsideration of the rejection of claims 1, 13, 16, 17, 29, 32, and 33 under 35 U.S.C. § 102(e) as being anticipated by *Ahmad et al.* ("*Ahmad*") (U.S. Patent App. Publication No. US 2003/0081249 A1). As will be explained in more detail below, the *Ahmad* reference does not disclose each and every feature specified in independent claims 1, 16, 17, 32, and 33, as amended herein.

Applicants have amended each of independent claims 1, 16, 17, 32, and 33 to include the features of original claims 2 and 3 (or original claims 18 and 19 as the case may be). In addition, these claims have been further amended to recite that the "pixels of the image are weighted by the weight distribution." The addition of this feature is supported by Figures 18-22 and the accompanying description of these figures set forth in the specification.

In the Office Action, it is acknowledged that the *Ahmad* reference does not disclose the features specified in original claims 2 and 3 (or original claims 18 and 19). Thus, for at least this reason, the *Ahmad* reference does not disclose each and every feature specified in independent claims 1, 16, 17, 32, and 33, as amended herein.

Accordingly, claims 1, 16, 17, 32, and 33, as amended herein, are patentable under 35 U.S.C. § 102(e) over *Ahmad*. Claim 13, which depends from claim 1, and claim 29, which depends from claim 17, are likewise patentable under 35 U.S.C. § 102(e) over *Ahmad* for at least the reason that these claims depend from claim 1 and claim 17, respectively.

Rejections Under 35 U.S.C. § 103

Applicants respectfully request reconsideration of the rejection of claims 2, 3, 18, and 19 under 35 U.S.C. § 103(a) as being unpatentable over *Ahmad* in view of *Matsushima* (U.S. Patent No. US 7,034,878 B2) (as noted above, claims 3 and 19 have been canceled herein). As will be explained in more detail below, the combination of *Ahmad* in view of *Matsushima* would not have rendered the subject matter defined in independent claims 1 and 17, as amended herein, obvious to one having ordinary skill in the art.

In formulating the obviousness rejection, the Examiner states that the *Matsushima* reference discloses that "the analyzer determines the image quality parameter using a weight distribution (fig. 5-13, col. 10 lines 18-20…)." Office Action at page 7. In column 9, lines 65-67, however, the *Matsushima* reference states that "a functional block 5-1 retrieves importance A, B, and C (A>B>C) of respective areas from the importance storage unit 14." Furthermore, in column 10, lines 13-17, the *Matsushima* reference states "[a] functional block 5-3…allocating importance to each area of the image data." The foregoing portions of the *Matsushima* reference indicate that the importance values of the respective areas are determined without the image data analysis. Therefore, the importance values in the *Matsushima* reference are significantly different from the image quality parameter in the claimed subject matter.

Furthermore, the *Matsushima* reference discloses that the processing is changed depending on the importance of the respective areas, as demonstrated by the following:

1) "simplifying image processing in areas of small importance" (column 3, lines 33-34);

2) "importance is determined separately with respect to each block" (column 10, lines 37-38);

3) the number of gray scale levels is determined with respect to each of the importance levels (column 11, lines 35-47, and Figure 11);

4) "This is the color interpolation processing of the areas of great importance. In areas other than the areas of great importance, simple averaging computation based on the equation (6) may be employed." (column 13, lines 1-5);

5) "the color interpolation processing is changed depending on the importance of respective areas" (column 13, lines 35-36); and

6) "the noise removal processing is changed depending on the importance of respective areas" (column 18, lines 2-3).

The *Matsushima* reference, however, does not disclose or suggest at least the following features of the claimed subject matter:

1) analyzing both the image data and the image generation record information to determine an image quality parameter;

2) determining the image quality parameter using a weight distribution that is determined according to the image generation record information; and

3) pixels of the image are weighted by the weight distribution.

The *Ahmad* reference also does not disclose or suggest the above-listed features 1) to 3) of the claimed subject matter. Thus, the result of the combination of the *Ahmad* and *Matsushima* references would not have included each and every feature of the subject matter defined in independent claims 1 and 17, as amended herein.

Accordingly, for at least the foregoing reasons, claims 1 and 17, as amended herein, are patentable under 35 U.S.C. § 103(a) over the combination of *Ahmad* in view of *Matsushima*. Claims 2 and 18 are likewise patentable under 35 U.S.C. § 103(a) over the combination of *Ahmad* in view of *Matsushima* for at least the reason that these claims depend from claims 1 and 17, respectively.

With regard to the obviousness rejection of claims 4 and 20, Applicants note that these claims have been canceled herein. As such, the obviousness rejection of claims 4 and 20 is moot.

In response to the obviousness rejections of the remaining dependent claims, namely claims 5-12, 14, 15, 21-28, 30, and 31, Applicants note that each of these claims ultimately depends from either claim 1 or claim 17. None of the secondary references cited by the Examiner in the rejections of these dependent claims cures the above-discussed deficiencies of the combination of the *Ahmad* and *Matsushima* references relative to the subject matter defined in independent claims 1 and 17, as amended herein. As such, the dependent claims are patentable over the applied prior art for at least the reason that they ultimately depend from either claim 1 or claim 17.

New Claims

As noted above, Applicants have added new claims 34-37, of which claims 34, 36, and 37 are independent claims. New claim 34 defines an output device for outputting an image file including at least image data generated by an image generating device. Support for the judgment section specified in claim 34 may be found in Figure 11 and the accompanying description of this figure in the specification. The features specified in dependent claim 35 are also supported by Figure 11 and the accompanying description of this figure in the specification. New claims 36 and 37 define a method and a computer-readable storage medium, respectively, that generally correspond to the functionality of the output device

defined in claim 34. Applicants submit that claims 34-37 are patentable under 35 U.S.C. §§ 102 and 103 over the prior art of record.

Conclusion

In view of the foregoing, Applicants respectfully request reconsideration and reexamination of claims 1, 2, 5-18, and 21-33, as amended herein, as well as examination of new claims 34-37, and submit that these claims are in condition for allowance. Accordingly, a notice of allowance is respectfully requested. In the event a telephone conversation would expedite the prosecution of this application, the Examiner may reach the undersigned at **(408) 749-6902**. If any additional fees are due in connection with the filing of this paper, then the Commissioner is authorized to charge such fees to Deposit Account No. 50-0805 (Order No. MIPFP056).

Respectfully submitted,
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